

AMENDED IN ASSEMBLY JULY 20, 2007  
AMENDED IN ASSEMBLY JULY 12, 2007  
AMENDED IN ASSEMBLY JUNE 28, 2007  
AMENDED IN ASSEMBLY JUNE 13, 2007  
AMENDED IN ASSEMBLY JUNE 5, 2007  
AMENDED IN SENATE MARCH 29, 2007

**SENATE BILL**

**No. 484**

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**Introduced by Senator Lowenthal**  
*(Principal coauthor: Assembly Member De La Torre)*

February 22, 2007

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~~An act to add Section 101.13 to the Streets and Highways Code, relating to transportation.~~ *An act relating to recall and special elections, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 484, as amended, Lowenthal. ~~Highway and structural designations.~~  
*Recall and special elections: City of Lynwood.*

*Existing law provides the procedure for the recall of local government officers pursuant to a petition that is circulated for signatures and submitted by the proponents of the recall. It requires that when the city or county elections official is the officer sought to be recalled, the elections official's duties in connection with the recall process be performed by some other person designated by the applicable governing board.*

*This bill would state legislative findings that there exists a need for an experienced, objective, impartial, and professional entity to conduct*

*any recall or special election that is held in the City of Lynwood in the County of Los Angeles during calendar years 2007 and 2008, and would state the intent of the Legislature in connection with this bill. It would require any recall or special election held in the City of Lynwood during the 2007 and 2008 calendar years to be administered by the Los Angeles County Registrar-Recorder/County Clerk, subject to approval by the Board of Supervisors of Los Angeles County.*

*This bill would require the City of Lynwood, consistent with a specified provision of state law, to pay the County of Los Angeles from the city treasury for any expenses authorized and necessarily incurred in conducting any recall or special election held in the City of Lynwood pursuant to this bill. It would provide a procedure under which the Controller would reallocate to the county amounts otherwise scheduled for distribution to the city from unrestricted funds or moneys, as specified.*

*The California Constitution provides that a local or special statute is invalid in any case if a general statute can be made applicable.*

*This bill would declare that, due to the unique circumstances pertaining to the City of Lynwood that the bill is intended to remedy, a general statute within the meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law provides that the Department of Transportation has full possession and control of all state highways. Existing law imposes various requirements on the department regarding the placement of specified signs on state highways.~~

~~This bill would establish specified conditions that would be required to be satisfied in order for a segment of a state highway or a highway structure to be named or designated in honor of a person or entity.~~

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: ~~yes~~  
no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. *The Legislature finds and declares that there*
- 2     *exists a need for an experienced, objective, impartial, and*
- 3     *professional entity to conduct any recall or special election that*
- 4     *is held in the City of Lynwood in the County of Los Angeles during*

1 *the 2007 and 2008 calendar years. It is the intent of the Legislature*  
 2 *in enacting this statute to ensure the integrity, efficiency, and lawful*  
 3 *conduct of recall and special elections in the City of Lynwood, to*  
 4 *avoid real bias or the perception of bias or impropriety, and to*  
 5 *strengthen the public's confidence in the fair and free operation*  
 6 *of the election process and the reporting of election results.*

7 *SEC. 2. Any recall or special election in the City of Lynwood*  
 8 *held during the 2007 and 2008 calendar years shall be*  
 9 *administered, for all purposes, by the County of Los Angeles*  
 10 *Registrar-Recorder/County Clerk upon approval by the Board of*  
 11 *Supervisors of the County of Los Angeles.*

12 *SEC. 3. (a) The City of Lynwood shall pay from its city*  
 13 *treasury for all expenses authorized and necessarily incurred in*  
 14 *conducting any special or recall election held during the 2007 and*  
 15 *2008 calendar years. These expenses shall be paid to the County*  
 16 *of Los Angeles to reimburse the county for the costs of conducting*  
 17 *the special or recall election.*

18 *(b) If payment is not made in a timely manner, and after*  
 19 *sufficient notice to the City of Lynwood, the Board of Supervisors*  
 20 *of the County of Los Angeles may pass a resolution informing the*  
 21 *Controller that some or all of the amount due is outstanding.*

22 *(c) Following receipt of the resolution, the Controller shall*  
 23 *deduct from apportionments scheduled for periodic distribution*  
 24 *to the City of Lynwood, from any unrestricted funds or moneys,*  
 25 *the outstanding balance owed and instead pay the amount to the*  
 26 *County of Los Angeles.*

27 *SEC. 4. The Legislature finds and declares that because of the*  
 28 *unique circumstances of the City of Lynwood, relating to the*  
 29 *conduct of elections, a statute of general applicability cannot be*  
 30 *enacted within the meaning of subdivision (b) of Section 16 of*  
 31 *Article IV of the California Constitution. Therefore, it is necessary*  
 32 *to enact a special statute applicable only to the City of Lynwood.*

33 *SEC. 5. This act is an urgency statute necessary for the*  
 34 *immediate preservation of the public peace, health, or safety within*  
 35 *the meaning of Article IV of the Constitution and shall go into*  
 36 *immediate effect. The facts constituting the necessity are:*

37 *In order to ensure that recall or special elections in the City of*  
 38 *Lynwood proceed in a timely fashion in accordance with state law,*  
 39 *and to preserve the public's confidence in the electoral process*

1 *and the voters' reserve power to recall elected officials, it is*  
2 *necessary that this act take effect immediately.*

3 ~~SECTION 1. Section 101.13 is added to the Streets and~~  
4 ~~Highways Code, to read:~~

5 ~~101.13. (a) Consistent with the signing requirements for the~~  
6 ~~state highway system, the department shall erect appropriate~~  
7 ~~plaques and markers naming or designating specified segments of~~  
8 ~~the state highway system or highway structures in honor of a person~~  
9 ~~or entity if all of the following conditions are met:~~

10 ~~(1) The naming or designation is requested in writing by a~~  
11 ~~Member of the Legislature who represents the district in which~~  
12 ~~the highway segment or structure is located.~~

13 ~~(2) (A) The request identifies the specific highway segment or~~  
14 ~~structure to be named or designated.~~

15 ~~(B) If a segment of highway is to be named or designated, it~~  
16 ~~shall not exceed five miles in length.~~

17 ~~(3) If the segment or structure is being named for a person, that~~  
18 ~~person shall meet one of the following criteria:~~

19 ~~(A) The person is deceased.~~

20 ~~(B) The person was an elected official and is no longer in office~~  
21 ~~or a candidate for office.~~

22 ~~(4) The request indicates that the person or entity being honored~~  
23 ~~has provided extraordinary public service or some exemplary~~  
24 ~~contribution to the public good and has a connection to the~~  
25 ~~community where the highway segment or structure is located.~~

26 ~~(5) The naming or designation is supported by a resolution~~  
27 ~~adopted by the appropriate city council or county board of~~  
28 ~~supervisors, unless the naming or designation relates to an~~  
29 ~~individual who was a state employee who died on the job.~~

30 ~~(6) The naming or designation does not supersede any existing~~  
31 ~~designation unless the requestor can document that there is no~~  
32 ~~opposition to rescinding the existing designation from the party~~  
33 ~~or individuals that sponsored the original designation.~~

34 ~~(7) The department has received sufficient funds from nonstate~~  
35 ~~sources to cover the costs, as determined by the department, of~~  
36 ~~reviewing the request and erecting the appropriate plaques and~~  
37 ~~markers.~~

38 ~~(8) The naming or designation meets any other conditions~~  
39 ~~established by the department.~~

1     ~~(b) (1) Except as provided in paragraph (2), a naming or~~  
2     ~~designation that honors a person shall be valid for 10 years from~~  
3     ~~the date of initial plaque or marker placement unless renewed for~~  
4     ~~an additional 10 years by a subsequent request approved pursuant~~  
5     ~~to subdivision (a).~~

6     ~~(2) A naming or designation that honors an entity, or an~~  
7     ~~individual who was a state employee who died on the job, shall~~  
8     ~~be valid until such time as a new designation request is approved~~  
9     ~~pursuant to subdivision (a), but for no less than 10 years.~~

10    ~~(c) Any plaque or marker installed by the department shall~~  
11    ~~remain posted until it has been destroyed or the department~~  
12    ~~determines that it has deteriorated to the point that it is no longer~~  
13    ~~serviceable or until that highway segment's or structure's~~  
14    ~~designation is overridden by a subsequent designation, whichever~~  
15    ~~occurs first. A plaque or marker that is destroyed or becomes~~  
16    ~~unserviceable during the 10-year period that a highway segment~~  
17    ~~or structure has a current designation may be replaced by the~~  
18    ~~department for a new 10-year period upon the receipt by the~~  
19    ~~department of sufficient funds from nonstate sources.~~